

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WINARD CONSTRUCTION
& DEVELOPMENT, INC.

Plaintiff,

v.

TIMOTHY HARRINGTON,

Defendant.

Civil Action No. 04-10915-GAO

CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

In accordance with Local Rule 16.1, I, Peter F. Carr, II, hereby certify that I have conferred with my client, Timothy Harrington, in the above-captioned matter, and have discussed a budget for costs of litigation, and the possibility of alternative dispute resolution. I further certify that my client fully understands the costs of the various stages of the litigation in this matter, the need for a budget for such costs, and the possibility of reducing such costs through the alternative dispute resolution program. My client has considered these issues and options.

SWORN TO AND SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY
THIS 27th DAY OF OCTOBER, 2004.



Peter F. Carr, II

I hereby certify to the above-referenced conference with my attorney in this matter.

Dated: 10/27/04



Timothy Harrington